

following positions from the expanded unit: Director of Maintenance, Night Supervisor, Director of Food Service, Secretary to the Superintendent, Secretary to Assistant Superintendent, Secretary to Business Administrator, Payroll/Bookkeeper, and Secretary/Bookkeeper for Hot Lunch/Transportation Departments "and all other supervisors, professional, and confidential employees, persons in a probationary or temporary status, employed seasonally, irregularly, or on call and all other employees of the Bedford School District." This matter was then set for hearing before the PELRB on December 3, 1992.

FINDINGS OF FACT

1. The Bedford School Board (Board) is a "public employer" as defined in RSA 273-A:IX
2. The Board employs personnel in the job titles of custodian and maintenance personnel, as noted in the Petition for Certification pending before the PELRB. It also employs personnel in the job titles referenced in the above Board's expanded unit concept, above.
3. At hearing, the PELRB was advised that support staff employees in job titles other than those for which the Petition for Certification was filed were approached by the Association to determine their respective levels of interest in organizing. This group of non-petitioned for support staff employees did not exhibit interest in the Association's organizational efforts. They exhibited no self-felt community of interest with the petitioning employees.
4. If disinterested employees or employees opposed to organizational efforts were forced to be included in a bargaining unit, this inclusion would have the potential of making it impossible for petitioning employees for exercise their rights guaranteed under RSA 273-A, particularly Section 1, "Statements of Policy," as well as making it difficult, if not impossible, to conduct the "harmonious and cooperative relations" contemplated thereby.

DECISION AND ORDER

After considering the Petition for Certification, the Board's Exceptions thereto, and hearing opening arguments by the parties, the PELRB entertained a motion by Member Osman, seconded by Member Hall:

I move that we grant the Petition as filed, to include custodians and maintenance personnel, exclusive of the Director of Maintenance and Night Supervisor. I believe

the PELRB should adopt this position because there is only one petition before us and because, at the present time, there is no Petition for multiple support staff units. If we were to include job titles which have not expressed an interest in organizing, that might impact the rights of petitioning employees under the Policy Statement found at RSA 273-A:1. This is the reason for my motion.

VOTED: FOR, 3; AGAINST, 0.

Therefore, there is hereby established a bargaining unit consisting of custodians and maintenance personnel. EXCLUDED: Director of Maintenance and Night Supervisor.

So ordered.

Signed this 8th day of December, 1992.



JACK BUCKLEY, Alternate Chairman

By unanimous vote. Alternate Chairman Jack Buckley presiding. Members Seymour Osman and E. Vincent Hall present and voting.